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cont generally only used when referring to viable bacteria, the term colony forming unit, or CFU will also be defined as a single non-viable bacterial cell when referring to embodiments of the present invention composed of non-viable lactobacilli compositions.

a3 [0040] Throughout this specification the present invention may be referred to as a probiotic composition, a lactobacillus containing composition, a dietary supplement, a freeze-dried powder or lactobacillus composition. All of these aforementioned terms mean a composition, regardless of form or the presence or absence of other ingredients, that contains viable or non-viable Lactobacillus casei strain KE01 having ATCC accession number PTA-3945 or its genetic equivalent as determined using the methods detailed herein.

a4 [0059] A pure culture of Lactobacillus casei strain KE01 was deposited with the American Type Culture Collection, Bethesda, MD, which was assigned the number ATCC PTA-3945.

Please amend the claims as follows:

a5 1. (Amended) A probiotic composition comprising Lactobacillus casei strain KE01 having ATCC accession number PTA-3945, wherein said Lactobacillus casei strain KE01 is derived from a substantially pure culture. ART

a6 21. (Amended) A probiotic composition comprising:  
powdered Lactobacillus casei strain KE01 having ATCC accession number PTA-3945 in the amount of from approximately 1 to 5 weight percent;  
a disaccharide from approximately 25 to 95 weight percent;  
an oligosaccharide from approximately 0 to 10 weight percent; and  
a polysaccharide from approximately 0 to 50 weight percent. fee

22. (Amended) The probiotic composition of claim 21 wherein said powdered Lactobacillus casei strain KE01 having ATCC accession number PTA-3945 has approximately  $10^5$  to  $10^{11}$  CFU per gram and is present in the amount of approximately 3 weight percent. fee

a7 27. (Amended) A probiotic composition comprising:  
approximately 3 weight percent of powdered Lactobacillus casei strain KE01 having ATCC accession number PTA-3945 having approximately  $10^5$  to  $10^{11}$  CFU per gram;

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